

Judge James L. Robart

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

ROSANNE GLASSBERG,

Plaintiff,

v.

HOLLAND AMERICA LINE N.V. LLC,
et al.,

Defendants.

CASE NO. C24-00915JLR

**STIPULATED MOTION TO
CONSOLIDATE PLAINTIFF’S
RELATED CASES**

NOTE ON MOTION CALENDAR:
November 14, 2024

MARCIA ULRICH,

Plaintiff,

v.

HOLLAND AMERICA LINE INC,
et al.,

Defendants.

CASE NO. C24-00961JLR

I. INTRODUCTION

Plaintiff Rosanne Glassberg, Defendants Holland America Line N.V. LLC, Holland America Line, Inc., and HAL Antillen N.V. (collectively “Holland”), and Defendant Scootaround, Inc. (“Scootaround”) respectfully move this Court for an order consolidating *Marcia Ulrich v. Holland America Line, Inc., et al.* (“*Ulrich*”), case number 2:24-cv-00961-BJR with the above-captioned matter as these cases share a common question of law or fact.

II. STATEMENT OF FACTS

This is a personal injury case arising out of an incident that occurred on June 25, 2023, involving one of Scootaround’s mobility scooters on one of Holland’s cruise ships. Glassberg filed a Complaint on June 25, 2024. On June 28, 2024, Plaintiff Marcia Ulrich filed a Complaint for a personal injury claim that occurred on June 30, 2023, involving one of Scootaround’s mobility

scooters on the same Holland cruise ship as Glassberg. Ulrich is Glassberg's sister and the circumstances of the accident are similar.

On October 14, 2024 Scootaround filed Motions to Dismiss for Forum Non Conveniens ("Motion to Dismiss") in both *Glassberg* and *Ulrich*. Pursuant to LCR 42, the parties engaged in the requisite meet-and-confer discussions whereupon Plaintiff and Holland agreed to consolidate these matters. Further, Holland agreed that it would not pursue a crossclaim against Scootaround if Scootaround withdrew its pending Motion to Dismiss. Scootaround agreed to those terms and filed a Notice to Withdraw Pending Motion to Dismiss pursuant to LCR 7(l). On November 8, 2024, the Honorable Barbara J. Rothstein in the *Ulrich* matter issued a case schedule order setting the following deadlines:

FRCP 26(f) Conference Deadline	12/19/2024
Initial Disclosure Deadline	12/26/2024
Joint Status Report Deadline	1/2/2025

III. LEGAL AUTHORITY AND ARGUMENT

FRCP 42(a) provides that if actions involve "a common question of law or fact" the court may consolidate the actions. LCR 42 further provides that a motion to consolidate should be filed in the earlier case and the stipulation should address scheduling issues. The district court has broad discretion under this rule to consolidate cases pending in the same district." *Inv's Research Co. v. U.S. Dist. Ct. for Cent. Dist. of Cal.*, 877 F.2d 777, 777 (9th Cir. 1989).

The parties seek to consolidate *Glassberg* and *Ulrich*, for the sake of efficiency and cost. These cases occurred on the same cruise ship, during the same cruise, with the same type of mobility scooter, and with similar allegations as to how the accidents occurred. The cases will involve most of the same witnesses, the same discovery, and a common question of law and fact as the causes of action alleged by Glassberg and Ulrich are almost identical. Consolidating the cases will allow the Court to hear all motions, including dispositive motions, in conjunction to expedite resolution and ensure consistency in the findings and conclusions of the Court. The parties further agree on a preference to the case schedule issued on November 8, 2024 to govern the consolidated action.

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1 **IV. CONCLUSION**

2 Based on the foregoing, consolidating Plaintiff's related matters is appropriate. The parties
3 request that the Court grant this motion and adopt the November 8, 2024 scheduling order.

4 I certify that this memorandum contains 508 words, in compliance with the Local Civil
5 Rules.

6 DATED this 14th day of November 2024.

DATED this 12th day of November 2024.

7 By: /s/ Ofelia A. Gomez

8 Joseph M. Winsby, WSBA #57649

9 Ofelia A. Gomez, WSBA #53917

10 LORBER, GREENFIELD & OLSEN, LLP

11 11900 NE 1st Street, Suite 300

12 Bellevue, WA 98005

13 Email: jwinsby@lorberlaw.com

14 Email: ogomez@lorberlaw.com

15 Attorneys for Defendant

16 SCOOTAROUND, INC.

By: /s/ Amie C. Peters

Amie C. Peters, WSBA #37393

Amanda E. Peters, WSBA #49161

BLUE WATER LEGAL, PLLC

144 Railroad Avenue, Ste 308

Edmonds, WA 98020

Email: amie@bluewaterlegal.com

Email: amanda@bluewaterlegal.com

Attorneys for Plaintiffs ROSEANNE

GLASSBERG and MARCIA ULRICH

14 DATED this 12th day of November 2024.

15 By: /s/ Edgar Nield

16 Edgar R. Nield, WSBA # 53297

17 MALTZMAN & PARTNERS, P.A.

18 506 Second Avenue, Suite 1400

19 Seattle, WA 98104

20 ed@maltzmanpartners.com

21 Attorneys for Defendant HOLLAND

22 AMERICA LINE N.V. LLC,

23 HOLLAND AMERICA LINE, INC,


24 and HAL ANTILLEN N.V.

22 IT IS SO ORDERED that the Stipulated Motion to Consolidate is GRANTED.

23 IT IS FURTHER ORDERED that the November 8, 2024 case schedule order will stand.

24 FRCP 26(f) Conference Deadline	12/19/2024
25 Initial Disclosure Deadline	12/26/2024
Joint Status Report Deadline	1/2/2025

26 DATED this 18th day of November 2024.

27 

28 Honorable James L. Robart

CERTIFICATE OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the foregoing **STIPULATED MOTION TO CONSOLIDATE PLAINTIFF'S RELATED CASES** on the following parties by electronic transmission through the CM/ECF system. Upon completion of said transmission of said documents, a receipt is issued to filing party acknowledging receipt by the CM/ECF system. Once CM/ECF has served all designated recipients, proof of electronic service is available to the filing party. I am readily familiar with the business' practice for filing electronically, and the document will be electronically filed that same day in the ordinary course of business following ordinary business practices.

Attorneys for Plaintiffs
ROSANNE GLASSBERG
MARCIA ULRICH

Amie Christine Peters, WSBA #37393
 Amanda E. Peters, WSBA #49161
 BLUE WATER LEGAL PLLC
 PO Box 83
 144 Railroad Avenue, Suite 308
 Edmonds, WA 98020
amie@bluewaterlegal.com
amanda@bluewaterlegal.com

Attorneys for Defendants
HOLLAND AMERICA LINE N.V. LLC,
HOLLAND AMERICA LINE, INC.
HAL ANTILLEN N.V.

Edgar R. Nield, WSBA # 53297
 MALTZMAN & PARTNERS, P.A.
 506 Second Avenue, Suite 1400
 Seattle, WA 98104
ed@maltzmanpartners.com

SIGNED this 14th day of November 2024.

/s/ Teri A. Moore

Teri A. Moore, Legal Assistant